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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,794	10/18/2001	Jay Carstens	10005736-1	3950

7590

12/22/2005

## HEWLETT-PACKARD COMPANY

Intellectual Property Administration

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EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/035,794		CARSTENS ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Victor Lesniewski		2152	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. The amendment filed 9/29/2005 has been placed of record in the file.
2. Claims 1, 3, 13, and 16 have been amended.
3. Claim 2 has been canceled.
4. Claims 1 and 3-22 are now pending.
5. The applicant's arguments with respect to claims 1 and 3-22 have been considered but are moot in view of the following new grounds of rejection.

***Continued Examination Under 37 CFR 1.114***

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. The applicant's submission filed on 10/28/2005 has been entered.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 1, 3-9, and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (U.S. Patent Number 6,009,243) in view of Freiburger et al. (U.S. Patent Number 6,034,652), hereinafter referred to as Freiburger.

9. Kim disclosed a system for sharing a printer among multiple user devices via a computer network where the printer includes a display screen for displaying information to users in its vicinity. In an analogous art, Freiburger disclosed an attention manager for coordinating information to be displayed to users in the vicinity of a display device.

10. Concerning claims 1, 13, and 16, Kim did not explicitly state a content delivery module operable to deliver to a content delivery device electronic content information that is unrelated to the device status. However, Freiburger's system is focused on coordinating this type of electronic content information to be displayed. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kim by adding the ability to use a content delivery module operable to deliver to a content delivery device electronic content information that is unrelated to the device status as provided by Freiburger. Here the combination satisfies the need for a system in which information providers can present their information to consumers by taking advantage of computers interconnected in a network as an information dissemination tool. See Freiburger, column 1, lines 12-27. This rationale also applies to those dependent claims utilizing the same combination.

11. Concerning claims 4 and 5, the combination of Kim and Freiburger does not explicitly state that the content delivery device or the content delivery module is remotely coupled to the peripheral device. However, moving different functionality either locally or remotely from the associated device was well known in computer networks at the time of the applicant's invention.

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It is clear that in dealing with a peripheral device on a network that receives content delivery, it would be obvious to make such immediately coupled functionalities remotely coupled without changing the actual functions of the system. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Kim and Freiburger by using a content delivery device or a content delivery module that is remotely coupled to the peripheral device.

12. Thereby, the combination of Kim and Freiburger discloses:

- <Claim 1>

A peripheral device operable to be coupled to a computer communication network, the peripheral device comprising: a software module operable to allow a number of local users to share control of the peripheral device through requests to perform a task received from other devices coupled to the network (Kim, column 3, lines 7-21); a content delivery device including a display screen operable to display a device status of the peripheral device (Kim, column 2, line 67 through column 3, line 4) and operable to deliver electronic content information to the display screen that is unrelated to the device status (Freiberger, column 7, lines 24-38); and a content delivery module coupled to the content delivery device and operable to retrieve the electronic content information, the content delivery module further operable to determine an appropriate time to deliver the electronic content information, and operable to deliver the electronic content information via the content delivery device (Freiberger, figure 1).

- <Claim 3>

The peripheral device of Claim 1, including a speaker for auditory content delivery (Freiberger, column 6, line 52 through column 7, line 7).

- <Claim 4>

The peripheral device of Claim 1, wherein the content delivery device is remotely coupled to the peripheral device (obviousness, see paragraph 11 above).

- <Claim 5>

The peripheral device of Claim 1, wherein the content delivery module is remotely coupled to the peripheral device (obviousness, see paragraph 11 above).

- <Claim 6>

The peripheral device of Claim 1, wherein the content delivery module retrieves the electronic content information from a remote content server (Freiberger, figure 2, item 202).

- <Claim 7>

The peripheral device of Claim 1, wherein the content delivery module retrieves the electronic content information from a local storage unit (Freiberger, column 21, lines 20-32).

- <Claim 8>

The peripheral device of Claim 1, wherein the electronic content information is determined from a user identification (Kim, column 4, lines 11-15 and Freiberger, column 5, lines 11-32).

- <Claim 9>

The peripheral device of Claim 1, further comprising an input device for receiving user input (Kim, column 2, line 67 through column 3, line 4).

- <Claim 12>

The peripheral device of Claim 1 wherein the appropriate time being substantially when the content delivery device is idle (Freiberger, column 8, lines 37-58).

- <Claim 13>

A peripheral device operable to be coupled to a computer communication network, the peripheral device comprising: a software module operable to allow a number of local users to share control of the peripheral device through requests to perform a task received from other devices coupled to the network (Kim, column 3, lines 7-21); a content delivery device including a display screen operable to display a device status of the peripheral device (Kim, column 2, line 67 through column 3, line 4) and operable to deliver electronic content information to the display screen that is unrelated to the device status (Freiberger, column 7, lines 24-38); and a first means for determining an appropriate time to deliver the electronic content information; a second means for retrieving the electronic content information; and a third means for delivering electronic content information via the content delivery device (Freiberger, figure 1).

- <Claim 14>

The peripheral device of Claim 13, further comprising an input device for receiving user input (Kim, column 2, line 67 through column 3, line 4).

- <Claim 15>

The peripheral device of Claim 13, further comprising a fourth means for detecting user identification information, wherein user identification information is used to retrieve electronic content information (Kim, column 4, lines 11-15 and Freiburger, column 5, lines 11-32).

- <Claim 16>

In a peripheral device, a method comprising: providing shared control of the peripheral device to a number of local users through a computer communication network (Kim, column 3, lines 7-21); receiving a request to perform a task from a local user through another device coupled to the network (Kim, column 3, lines 7-21); displaying a device status of the peripheral device on a content delivery device including a display screen coupled to the peripheral device (Kim, column 2, line 67 through column 3, line 4); retrieving electronic content information to the display screen that is unrelated to the device status of the peripheral device (Freiberger, column 7, lines 24-38); determining when the content delivery device coupled to the peripheral device is idle (Freiberger, figure 1, item 102); and responsive to determining that the content delivery device is idle, delivering the electronic content information via the content delivery device (Freiberger, figure 1, item 105).

- <Claim 17>

The method of Claim 16, wherein the content delivery device is a speaker for auditory electronic delivery (Freiberger, column 6, line 52 through column 7, line 7).



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- <Claim 18>

The method of Claim 16, wherein the content delivery device is a display screen for visual electronic delivery (Freiberger, column 6, line 52 through column 7, line 7).

- <Claim 19>

The method of Claim 16, further comprising: determining a user identification; and responsive to determining the user identification, retrieving the electronic content information associated with the user identification (Kim, column 4, lines 11-15 and Freiberger, column 5, lines 11-32).

- <Claim 20>

The method of Claim 19, further comprising determining accounting information associated with the user identification for placing product or service orders (Freiberger, column 7, lines 24-38).

- <Claim 21>

The method of Claim 16 wherein the electronic content information is determined from the task associated with the request (Freiberger, column 5, lines 16-25).

- <Claim 22>

The method of claim 21, wherein the task is a print job (Kim, column 3, lines 7-21).

Since the combination of Kim and Freiberger discloses all of the above limitations, claims 1, 3-9, and 12-22 are rejected.

13. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Freiburger, as applied above, further in view of Plasson et al. (U.S. Patent Number 6,795,688), hereinafter referred to as Plasson.

14. The combination of Kim and Freiburger disclosed a system for sharing a printer among multiple user devices via a computer network where the printer includes a display screen for displaying coordinated information to users in its vicinity. In an analogous art, Plasson disclosed a method for adapting a device to be communicatively coupled in a wireless personal area network. Both systems communicate data from a central computer or host devices to remote devices.

15. Concerning claims 10 and 11, the combination of Kim and Freiburger did not explicitly disclose a sensor module that communicates with a remote electronic device. However, Plasson states the use of devices in a personal area network that are able to sense and communicate with other devices. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Kim and Freiburger by adding the ability to utilize a sensor module that communicates with a remote electronic device as provided by Plasson. Here the combination satisfies the need for a network which can efficiently accommodate its remote devices even though each device may have its own respective characteristics. See Plasson, column 5, lines 22-29.

16. Thereby, the combination of Kim, Freiburger, and Plasson discloses:

- <Claim 10>

The peripheral device of Claim 1, further comprising a sensor module (Plasson, figures 3A-B, item 340) operable to receive transmissions from a remote electronic device (Plasson, figures 3A-B, item 390).

- <Claim 11>

The peripheral device of Claim 10 wherein the sensor module is further operable to detect an electronic device within its proximity (Plasson, column 17, lines 53-67).

Since the combination of Kim, Freiburger, and Plasson discloses all of the above limitations, claims 10 and 11 are rejected.

### *Conclusion*

17. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Goshey et al. (U.S. Patent Number 6,327,613) disclosed a system for transparently sharing peripheral devices over a network that uses sharing privileges.
- Yang et al. (U.S. Patent Number 6,401,124) disclosed a network peripheral sharing system that includes server computers which maintain peripheral serving programs that provide information on the status of peripherals to the clients.
- White (U.S. Patent Number 6,644,547) disclosed a peripheral that integrates various retail devices and consolidates all of the associated functions of the retail devices and non-associated functions into a single, easy to user workstation.

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18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.


The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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